



Handout No. 2-2

Revised: 3/18/2004

Revised 9/12/2007

Setbacks & Zoning Information

Setbacks are the minimum distances that a building can be from a property line. These are usually defined as Front setback, which is the distance from the front property line to the front of the house, Side setbacks and Rear setbacks. These distances are defined in the City of San Jose Zoning Ordinance and are based on the zoning district in which the property is located. A typical Single Family Residential lot in the City of San Jose is zoned R-1-8 or APD, but there are many other zones that your house may be in. Check with the City to be sure before you design or build anything. For zoning district information, contact the Development Services Center at (408) 535-3555.

Your lot may have easements that prevent you from building in various areas. Your deed will be the best place to find information about easements but it may be very hard to interpret the legal language on the deed. Another place to find the location of easements and see them in an easy to understand graphical form is to look at the Tract map. Call the City at (408)535-3555 to get more information on getting a copy of your tract map or for easement information.

Besides basic setbacks there are rules on building height, floor area, building location and land use. Pools, accessory structures, and front porches and stairs have their own standards and exceptions. See Chapter 20.30 of the Zoning Ordinance at <http://www.sanjoseca.gov/planning/zoning/zoning.asp> or call the City for more information.

Specific questions regarding single family zoning issues & setbacks can *not* be handled over the phone, as there are numerous issues to research before answers can be given to specific setback questions for a particular lot, especially if it is odd-shaped. For specific zoning and setback questions, bring as much information as you can find to the Development Services Center at San Jose City Hall and we will help you find the rest.

The objective is to be able to produce a site plan for your property. The site plan should accurately depict the layout of the lot and must include lot dimensions and existing setbacks to all property lines show any known easements. Easement information can usually be found in the most recent Title Report or at the County Recorder's Office (ph: (408) 299-2481). The site plan must include dimensions for all buildings and accessory structures and may be prepared by anyone. In most cases, the site plan can be sufficiently drawn on an 8 1/2" X 11" sheet of paper. 1/8"=1' or larger scale is typical.

Additional information can be obtained by visiting our website at www.sanjoseca.gov or by calling our Information Inspector's voice mail at (408) 535-7601 and leaving a detailed message. In addition you may visit the Development Services Center at the first floor of City Hall at 200 E. Santa Clara St. Our hours are 9:00 a.m. to 4:00 p.m. with limited service between 12:00 p.m. and 1:00 p.m.